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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|-----------------|-------------|-------------------------|---------------------|------------------|
| 09/788,398 | 02/21/2001 | Zhenya Alexander Yourlo | 169.1995 | 5425 |

5514 7590 05/23/2003

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NEW YORK, NY 10112

EXAMINER

LY, ANH

| ART UNIT | PAPER NUMBER |
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2172

DATE MAILED: 05/23/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/788,398

Applicant(s)

YOURLO ET AL.

Examiner

Anh Ly

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 21 February 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-14 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-14 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ 6) ☐ Other: _____

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DETAILED ACTION

1. This Office Action is response to Applicants' responsive to communication filed on 02/21/2001.
2. Claims 1-14 are pending in this application.

Information Disclosure Statement

3. The information disclosure statement (IDS) submitted on 04/18/2002 (see page #5) was filed after the mailing date of the 09/657,153 on 09/07/2000. The submission is in compliance with the provisions of 37 CFR 1.97. Accordingly, the information disclosure statement is being considered by the examiner.

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

6. Claims 4-7 are rejected under 35 U.S.C. 103(a) as being unpatentable over US Patent No. 6,092,078 issued to Adolfsson.

With respect to claim 4, Adolfsson discloses interfacing a customizing system to both said PCF1 and a Portable Customizable and User Interface (PCUI); and programming said PCFI by means of user instructions being input by means of the PCUI to said customizing system (Smart card is a piece of electronic equipment, which is programmed and produced portable programmed data carriers such as credit cards (personalization data), see fig. 11, card interface and smart card reader to read and verify the identity of the person holding the card: col. 8, lines 12-41; also a graphical user interface for monitoring peripheral devices from which the user would select the options as depicting as graphical representation on the screen: col. 6, lines 5-9).

Adolfsson also discusses the operation of a smart card being placed in the card reader for verifying the identity of the person who is holding the card based on the a card interface (see fig. 11, item 320 and col. 8, lines 20-30).

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Adolfsson although teaches the portable interface card such as smart card and credit card and connected via the configurable the network attached peripheral devices from which the graphical user interface, graphical representation on the screen is monitored, that Adolfsson does not explicitly indicate.

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to utilize the user interface for retrieving data stored in the database as taught by Adolfsson because it would made the system having a searchable database with the portable interface such as smart card, credit card with an card reader (Adolfsson - col. 8, lines 20-25) in the portable interface environment.

With respect to claim 5, Adolfsson interfacing a customizing system to said PCFI; and programming said PCFI by means of user instructions being input to said customizing system by means of predetermined control elements on the PCFI (Smart card is a piece of electronic equipment, which is programmed and produced portable programmed data carriers such as credit cards (personalization data), see fig. 11, card interface and smart card reader to read and verify the identity of the person holding the card: col. 8, lines 12-41; also a graphical user interface for monitoring peripheral devices from which the user would select the options as depicting as graphical representation on the screen: col. 6, lines 5-9).

Adolfsson also discusses the operation of a smart card being placed in the card reader for verifying the identity of the person who is holding the card based on the a card interface (see fig. 11, item 320 and col. 8, lines 20-30).

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Adolfsson although teaches the portable interface card such as smart card and credit card and connected via the configurable the network attached peripheral devices from which the graphical user interface, graphical representation on the screen is monitored, that Adolfsson does not explicitly indicate.

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to utilize the user interface for retrieving data stored in the database as taught by Adolfsson because it would made the system having a searchable database with the portable interface such as smart card, credit card with an card reader (Adolfsson - col. 8, lines 20-25) in the portable interface environment.

With respect to claim 6, Adolfsson discloses a programmable smartcard providing a user interface having spatially distributed user selectable icons made visible on a surface of the smartcard, wherein a selected icon is capable of discrimination by a smartcard reader to which the PCFI is connectable (Smart card is a piece of electronic equipment, which is programmed and produced portable programmed data carriers such as credit cards (personalization data), see fig. 11, card interface and smart card reader to read and verify the identity of the person holding the card: col. 8, lines 12-41; also a graphical user interface for monitoring peripheral devices from which the user would select the options as depicting as graphical representation on the screen: col. 6, lines 5-9); and first and second data filter parameters; and a first rule adapted to define a third data filter parameter dependent upon said first and second data filter parameters (col. 5, lines 35-45: a set of parameters).

Adolfsson also discusses the operation of a smart card being placed in the card reader for verifying the identity of the person who is holding the card based on the a card interface (see fig. 11, item 320 and col. 8, lines 20-30).

Adolfsson although teaches the portable interface card such as smart card and credit card and connected via the configurable the network attached peripheral devices from which the graphical user interface, graphical representation on the screen is monitored, that Adolfsson does not explicitly indicate.

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to utilize the user interface for retrieving data stored in the database as taught by Adolfsson because it would made the system having a searchable database with the portable interface such as smart card, credit card with an card reader (Adolfsson - col. 8, lines 20-25) in the portable interface environment.

With respect to claim 7, Adolfsson discloses wherein said first and second data filter parameters are first and second references to said first and second data filter parameters, and further wherein said third data filter parameter is a reference to said third data filter parameter (col. 5, lines 35-45).

7. Claims 1-3, and 8-14 are rejected under 35 U.S.C. 103(a) as being unpatentable over US Patent No. 6,092,078 issued to Adolfsson in view of US Patent No. 5,832,488 issued to Eberhardt.

With respect to claim 1, Adolfsson discloses a Portable Customizable data Filter and Interface (PCFI) comprising a programmable smartcard adapted to store at least a data filter parameter, and further adapted to provide a user interface by means of spatially distributed user selectable icons made visible on a surface of the smartcard; a reader means adapted to interface with said PCFI, and further adapted to discriminate an icon selected by a user (Smart card is a piece of electronic equipment, which is programmed and produced portable programmed data carriers such as credit cards (personalization data), see fig. 11, card interface and smart card reader to read and verify the identity of the person holding the card: col. 8, lines 12-41; also a graphical user interface for monitoring peripheral devices from which the user would select the options as depicting as graphical representation on the screen: col. 6, lines 5-9); and database processing means adapted to interface with the reader means, said database processing means being responsive to said data filter parameter and detected icon selection; and said one or more of the database search and the data item selection is performed using the selectable icons (database recording the data in fig. 12, item 418 is stored on the memory is searched by used col. 10, lines 15-25 and col. 5, lines 15-20).

As to the limitations, "wherein said correspondingly reduced search space is defined by said filter parameter," Adolfsson does not explicitly indicate that the reduced search space is defined by said filter parameter.

However, Eberhardt discloses reducing the number of records to be searched via a search window of the CP 2 program (col. 16, lines 10-14).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to combine the teachings of Adolfsson with the teachings of Eberhardt so as to obtain the reduced search via the search window of the CP 2 program (Eberhardt - col. 16, lines 6-23). This combination would provide the system having a reduced searchable database with the portable interface such as smart card, credit card with a card reader (Adolfsson - col. 8, lines 20-25) and since the reduced search, it would avoid the unnecessary costly expense (Eberhardt - col. 3, lines 38-40) in the portable interface environment.

With respect to claim 2, Adolfsson discloses a filter system as discussed in the claim 1.

As to the limitation, "reduction of the dimension of the searchable data base," Adolfsson does not explicitly indicate that the reduced search space is defined by said filter parameter.

However, Eberhardt discloses reducing the number of records to be searched via a search window of the CP 2 program (col. 16, lines 10-14).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to combine the teachings of Adolfsson with the teachings of Eberhardt so as to obtain the reduced search via the search window of the CP 2 program (Eberhardt - col. 16, lines 6-23). This combination would provide the system having a reduced searchable database with the portable interface such as smart card, credit card with a card reader (Adolfsson - col. 8, lines 20-25) and since the

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reduced search, it would avoid the unnecessary costly expense (Eberhardt – col. 3, lines 38-40) in the portable interface environment.

With respect to claim 3, Adolfsson discloses wherein said data filter parameter is a reference to said data filter parameter (control parameters from the data means or control means: col. 3, lines 25-32).

With respect to claim 8, Adolfsson discloses a filter system as discussed in the claim 6.

As to the limitations, “a Boolean relationship and a learning function,” Adolfsson does not explicitly indicate that the Boolean relationship and learning function.

However, Eberhardt discloses Boolean operators and logic (col. 12, lines 1-10 and lines 15-18).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to combine the teachings of Adolfsson with the teachings of Eberhardt so as to obtain the Boolean operator as well as Boolean logic in the searching and matching the data record (Eberhardt - col. 12, lines 1-10). This combination would provide the system having a reduced searchable database with the portable interface such as smart card, credit card with a card reader (Adolfsson - col. 8, lines 20-25) and since the reduced search, it would avoid the unnecessary costly expense (Eberhardt – col. 3, lines 38-40) in the portable interface environment.

With respect to claim 9, Adolfsson discloses wherein said first and second data filter parameters are first and second references to said first and second data filter parameters (a set of parameters: col. 5, lines 35-45).

With respect to claim 10, Adolfsson discloses configuring a Portable Customizable data Filter and Interface (PCFI) comprising a programmable smartcard adapted to store at least a data filter parameter, and further adapted to provide a user interface by means of spatially distributed user selectable icons made visible on a surface of the smartcard; interconnecting the PCFI to a searchable database; selecting one or more of said user selectable icons; and performing at least one of a database search and a data item selection, dependent upon said selection (Smart card is a piece of electronic equipment, which is programmed and produced portable programmed data carriers such as credit cards (personalization data), see fig. 11, card interface and smart card reader to read and verify the identity of the person holding the card: col. 8, lines 12-41; also a graphical user interface for monitoring peripheral devices from which the user would select the options as depicting as graphical representation on the screen: col. 6, lines 5-9; and database recording the data in fig. 12, item 418 is stored on the memory is searched by used col. 10, lines 15-25 and col. 5, lines 15-20).

As to the limitations, "wherein said correspondingly reduced search space is defined by said filter parameter," Adolfsson does not explicitly indicate that the reduced search space is defined by said filter parameter.

However, Eberhardt discloses reducing the number of records to be searched via a search window of the CP 2 program (col. 16, lines 10-14).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to combine the teachings of Adolfsson with the teachings of Eberhardt so as to obtain the reduced search via the search window of the

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CP 2 program (Eberhardt - col. 16, lines 6-23). This combination would provide the system having a reduced searchable database with the portable interface such as smart card, credit card with a card reader (Adolfsson - col. 8, lines 20-25) and since the reduced search, it would avoid the unnecessary costly expense (Eberhardt - col. 3, lines 38-40) in the portable interface environment.

With respect to claim 11, Adolfsson discloses reading the filter parameter, being a base filter parameter, from the-PCFI; and applying the base filter parameter to the searchable database; and wherein the step of performing one or more of a database search and a data item selection is followed, further steps of reading another filter parameter from the PCF1; combining said other filter parameter with said base filter parameter (Smart card is a piece of electronic equipment, which is programmed and produced portable programmed data carriers such as credit cards (personalization data), see fig. 11, card interface and smart card reader to read and verify the identity of the person holding the card: col. 8, lines 12-41; also a graphical user interface for monitoring peripheral devices from which the user would select the options as depicting as graphical representation on the screen: col. 6, lines 5-9; and database recording the data in fig. 12, item 418 is stored on the memory is searched by used col. 10, lines 15-25 and col. 5, lines 15-20).

As to the limitations, "wherein said correspondingly reduced search space is defined by said filter parameter; and applying the combined filter parameters to the reduced search space thereby to define a further reduced search space," Adolfsson

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does not explicitly indicate that the reduced search space is defined by said filter parameter.

However, Eberhardt discloses reducing the number of records to be searched via a search window of the CP 2 program (col. 16, lines 10-14).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to combine the teachings of Adolfsson with the teachings of Eberhardt so as to obtain the reduced search via the search window of the CP 2 program (Eberhardt - col. 16, lines 6-23). This combination would provide the system having a reduced searchable database with the portable interface such as smart card, credit card with a card reader (Adolfsson - col. 8, lines 20-25) and since the reduced search, it would avoid the unnecessary costly expense (Eberhardt - col. 3, lines 38-40) in the portable interface environment.

With respect to claim 12, Adolfsson discloses wherein said data filter parameter is a reference to said data filter parameter (control parameters from the data means or control means: col. 3, lines 25-32).

Claim 13 is essentially the same as claim 1 except that it is directed to a computer readable medium rather than a system ('078 of Smart card is a piece of electronic equipment, which is programmed and produced portable programmed data carriers such as credit cards (personalization data), see fig. 11, card interface and smart card reader to read and verify the identity of the person holding the card: col. 8, lines 12-41; also a graphical user interface for monitoring peripheral devices from which the user would select the options as depicting as graphical representation on the screen:

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col. 6, lines 5-9; and database recording the data in fig. 12, item 418 is stored on the memory is searched by used col. 10, lines 15-25 and col. 5, lines 15-20; and '488 of col. 16, lines 10-14), and is rejected for the same reason as applied to the claim 1 hereinabove.

Claim 14 is essentially the same as claim 3 except that it is directed to a computer readable medium rather than a system (control parameters from the data means or control means: col. 3, lines 25-32), and is rejected for the same reason as applied to the claim 3 hereinabove.

Contact Information

8. Any inquiry concerning this communication should be directed to Anh Ly whose telephone number is (703) 306-4527 via E-Mail: **ANH.LY@USPTO.GOV**. The examiner can be reached on Monday - Friday from 8:00 AM to 4:00 PM.

If attempts to reach the examiner are unsuccessful, see the examiner's supervisor, Kim Vu, can be reached on (703) 305-4393.

Any response to this action should be mailed to:

Commissioner of Patents and Trademarks

Washington, D.C. 20231

or faxed to: (703) 746-7238 (after Final Communication and intended for entry)

or: (703) 746-7239 (for formal communications intended for entry)

or: (703) 746-7240 (for informal or draft communications, please label "PROPOSED" or "DRAFT")

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington, VA, Fourth Floor (receptionist).

Inquiries of a general nature or relating to the status of this application should be directed to the Group receptionist whose telephone number is (703) 305-3900.

AL
May 18th, 2003

Shahid Al Alam
Primary
SHAHID AL ALAM
PATENT EXAMINER